

REMARKS

The Examiner stated in the Official Action that claim 1 of the referenced application is rejected under 35 U.S.C. 102(b) as being anticipated by Sakuragi (US Pat. No. 5,052,665). The Examiner continues to indicate that the '665 patent discloses a bumper made of resilient material such as rubber and comprising a securing end capably secured under the top end of a shank of an umbrella, a serpentine middle portion formed adjacent to the securing end and operationally compressed to provide a shock-absorbing efficiency, an abutting end formed on opposing end of the serpentine middle portion and capable for operationally stopping the sliding ring when mounted to the umbrella, and a straight through hole defined through the two ends and middle portion for allowing the bumper enable to mount on the shank.

Furthermore, the Examiner cited a second patent (US Pat No. 5,297,570; '570) and indicated that the referenced application was rejected under 35 U.S.C. 102(b) as being anticipated by the '570 patent. The '570 patent discloses a bumper made of resilient material and comprising inherently an upper securing end capably secured under the top end of a shank of an umbrella and a serpentine middle portion formed adjacent to the securing end and operationally compressed to provide a shock-absorbing effect, a lower abutting end formed on opposing end of the serpentine middle portion and capable to abut and operationally stop the sliding ring when mounted to the umbrella and a straight through hole defined through the two ends and middle portion for allowing the bumper to mount on the shank.

After a careful review of the prescribed letter patents (the '665 patent and the '570 patent), the applicant respectfully disagrees with the Examiner's assertion in that neither one of the patents is in any way like the bumper device of the referenced application, either in the configuration or in the function.

Referring to paragraph 4 starting from line 37 to line 46 of the '665 patent, it is learned that the bumper is made of an elastically deformable material. However, the bumper rubber body 2 is composed of a cylindrical portion 21 defining the outer periphery thereof, a ring-shaped top end surface 22 defining the top end surface of the cylindrical portion 21, and a ring-shaped bottom end surface 23 defining the bottom end surface of the cylindrical portion 21.

Further a positioning groove 221 is formed on the ring-shaped top end surface 22 for positioning the bumper rubber with respect to a suspension insulator 6. From the description, it is noted that the bumper is made of a material substantially the same as that of the referenced application. However, the cylindrical shape of the bumper constructed in the '665 patent is not in any way like the serpentine configuration of the referenced application.

Next, still in paragraph 4, starting from line 47 to line 62, which clearly states that the cylindrical portion 21 has multiple projections (5 projections) and multiple grooves (4 grooves) defined between two adjacent projections, which, again, is not a description for a serpentine configuration.

Referring to Appendix A, a front cross sectional view of the serpentine bumper of the present invention, it is seen that the bumper for an umbrella is composed of multiple continuously mutually connected portions and a centrally defined through hole defined through each of the portions. Then referring to Appendix B, a right cross sectional view of the serpentine bumper of the present invention, it is seen that the bumper for an umbrella has a "5" configuration.

Each of the two cross sectional views depicts differences when compared with the bumper of the '665 patent. Lastly, from the description of the '665 patent, it is noted that the bumper is used in a cylinder of a vehicle, which is described all over the description of the '665 patent. Therefore, it is concluded that the functions of the two bumpers are not the same and the configurations of the two bumpers are not even close. Especially, from the independent claim of the referenced application, there is provision of limitations as to where the bumper should be located, which is certainly not applied to the cylinder of a vehicle,

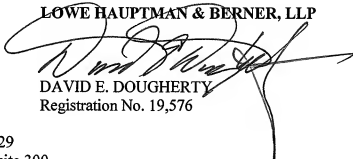
Then referring to the '570 patent, it is noted that the bumper is applied to an umbrella and has a configuration somewhat like the serpentine structure of the referenced application. However, a careful examination of the '570 patent finds that the bumper, as indicated by the Examiner, is simply a common spring which is certainly not capable of being applied to the top end of an umbrella. The shortcomings of using a common spring in an umbrella has already been explained in the background of the referenced application as it can not be properly positioned and often causes jam to the operation of the sliding ring especially when the spring is moving along the shank and over the tabs on the shank.

After the explanation of the differences between the referenced application and the cited patents ('665; '570), the applicant believes the reasons for rejection are overcome and thus request favorable action be issued

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP

A large, stylized handwritten signature in black ink, appearing to read 'David E. Dougherty', is written over the printed name and registration number.

DAVID E. DOUGHERTY
Registration No. 19,576

Customer Number: 22429
1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111
(703) 518-5499 Facsimile
Date: October 12, 2006
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